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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/622,069 | 07/17/2003 | Takuya Ono | FUJI:263 | 1833 |

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EXAMINER

BADII, BEHRANG

| ART UNIT | PAPER NUMBER |
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3621

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,069

Applicant(s)

ONO ET AL.

Examiner

Behrang Badii

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/17/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-12 have been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360, and further in view of Mikawa, U.S. patent application publication 2002/0097645.

As per claim 1, Xuan et al. disclose a magnetic recording medium comprising (abstract; fig's. 1-7):

a magnetic disk with embedded data patterns (col.2; 1-19; fig's. 1-7). Xuan et al. does not disclose contents management information. Mikawa discloses contents management information (paragraph 93; fig's. 1-7). It would have been obvious to modify Xuan et al. to include contents management information such as that taught by Mikawa in order for the recorded information to include contents management information, which can be copy management information for managing copying of contents on different tracks, such that the pertinent data is recorded on the magnetic recording medium.

As per claim 2, Xuan et al. and Mikawa further disclose wherein the pattern corresponding to contents management information (Mikawa: paragraph 93; fig's. 1-7)

is provided on every track (Xuan et al: col.1, 36-49; fig's. 1-7) as discussed per the motivation above.

As per claim 3, Xuan et al. further discloses a nonmagnetic substrate having a portion with pits formed on the surface thereof (col.2, 54-60; fig's. 1-7), and a magnetic layer formed over the surface of the substrate, each of the data pattern being embedded by forming a pattern of the pits on a nonmagnetic substrate and selectively magnetizing the magnetic layer at the pattern of the pits (col.3, 49-67; col.4, 1-51; fig's. 1-7).

As per claim 4, Mikawa further discloses a copy management information for managing copying of contents (paragraphs 65 & 93; fig's. 1-7) as discussed per the motivation above.

As per claim 6, Mikawa further discloses the magnetic recording medium storing the contents obtained through broadcasting or communication (paragraph 88; fig's. 1-7) on a track having the copy management information corresponding to a copying form that is permitted by a distributor of the contents or for a user of the contents (paragraphs 65; fig's. 1-7) as discussed per the motivation above.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 1 above, and further in view of Yamauchi et al., U.S. patent application publication 2002/0083046. Xuan et al. discloses a magnetic recording medium as discussed above. Xuan et al. does not disclose a period management information for managing utilization period of contents. Yamauchi et al. discloses a period management information for managing utilization period of

contents (paragraph 110; fig's. 1-15). It would have been obvious to modify Xuan et al. to include a period management information for managing utilization period of contents such as that taught by Yamauchi et al. in order to for the recording to include time management such that the usage of the information can be controlled according the amount of time in use.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 6 above, and further in view of Mikawa, U.S. patent application publication 2002/0097645 and Ueda et al., U.S. patent application publication 2002/0131595. Xuan et al. discloses a storage type magnetic recording apparatus as discussed above. Xuan et al. does not disclose a means for encrypting output of the contents after confirming that a copying form is permitted by a definition of the copy management information on the track that stores the contents to be used. Ueda et al. discloses a means for encryption of content (abstract; fig's. 1-17). Mikawa discloses a copy management information (paragraphs 65, 93; fig's. 1-7). It would have been obvious to modify Xuan et al. to include a means for encryption of content as taught by Ueda et al. and a copy management information such as that taught by Mikawa in order to secure the contents that is to be copied on tracks included in the recording medium.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 5 above, and further in view of Mikawa, U.S. patent application publication 2002/0097645 and Yamauchi et al., U.S. patent application publication 2002/0083046. Xuan et al. discloses a storage type magnetic

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recording apparatus comprising a magnetic recording medium as discussed above.

Xuan does not disclose storing the contents obtained through broadcasting or communication on a track having the period management information corresponding to a utilization period that is permitted by a distributor of the contents or for the user of the contents. Mikawa discloses storing the contents obtained through broadcasting or communication (paragraph 88; fig's. 1-7). Yamauchi et al. discloses a period management information corresponding to a utilization period (paragraph 110; fig's. 1-15). It would have been obvious to modify Xuan et al. to include storing the contents obtained through broadcasting or communication such as that taught by Mikawa and a period management information corresponding to a utilization period such as that taught by Yamauchi et al. in order to for the information being recorded to have time management data such that this data can be recorded to the recording medium to manage utilization according to time.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 8 above, and further in view of Yamauchi et al., U.S. patent application publication 2002/0083046 and Ueda et al., U.S. patent application publication 2002/0131595. Xuan et al. discloses a storage type magnetic recording apparatus as discussed above. Xuan et al. does not disclose a means for decrypting the contents after confirming that a utilization time is within a utilization period permitted by a definition of the period management information on the track that stores the contents to be used. Ueda et al. discloses a means for decryption of content (abstract; fig's. 1-17). Yamauchi et al. discloses period management

information (paragraph 110; fig's. 1-15). It would have been obvious to modify Xuan et al. to include a means for decryption of content as taught by Ueda et al. and a period management information such as that taught by Yamauchi et al. in order to make the data available in a secure manner within a specified time period.

Claim 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360, and further in view of Mikawa, U.S. patent application publication 2002/0097645, Yamauchi et al., U.S. patent application publication 2002/0083046 and Ueda et al., U.S. patent application publication 2002/0131595.

As per claims 10-12 Xuan et al. discloses providing a magnetic disk with embedded data patterns (abstract; col.2, 1-19; fig's. 1-7). Xuan et al. does not disclose copy management information for managing copying of contents and period management information for managing utilization period of contents; and

receiving and storing the encrypted information contents obtained through broadcasting or communication on a track having the copy or period management information corresponding to a copying form or a utilization period that is permitted by a distributor or permitted for user of the contents. Mikawa discloses a copy management information for managing copying of contents (paragraphs 65, 93; fig's. 1-7) and storing contents obtained through communication (paragraph 88; fig's. 1-7). Yamauchi et al. discloses period management information for managing utilization period of contents (paragraph 110; fig's. 1-15). Ueda et al. discloses encryption and decryption of content (abstract, fig's. 1-17). It would have been obvious to modify

Xuan et al. to include a copy management information and storing contents obtained through communication such as that taught by Mikawa and period management information such as that taught by Yamauchi et al. and encryption and decryption of content such as that taught by Ueda et al. in order to record information having to do with copy management and period management on the recording medium such that the information can be utilized in a secure manner by way of encryption and decryption to protect all parties involved.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrang Badii whose telephone number is 703-305-0530. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Behrang Badii

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Patent Examiner
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